

TOWN OF NOLENSVILLE  
BOARD OF MAYOR AND ALDERMEN MEETING  
DATE: THURSDAY, JULY 3, 2004 TIME: 7:00 P.M.  
PLACE: NOLENSVILLE ELEMENTARY SCHOOL

Mayor Charles Knapper opened the meeting at 7:00. In attendance were Mayor Knapper, Aldermen Tommy Dugger, Larry Felts, Gail Phillips, and Frank Wilson. Also in attendance were Counsel Dave Ausbrooks, Dana Ausbrooks, Town Engineer Richard Woodroof, and 20 public citizens.

Mayor Knapper led the prayer and pledge.

Williamson County Mayor, Rogers Anderson and Commission Chairman, Houston Naron discussed with the Board of Mayor and Aldermen the resolution to authorize the county Mayor to enter into an interlocal agreement with the municipalities to redistribute the half of the one half percent sales tax increase that is not allocated for schools.

Citizens Input:

Mr. Joe Curtsinger, 7380 Nolensville Rd, stated he is concerned about the density growth in this area. I think it became clear around April in Planning Commission Meeting that we were asked that we would consider a zero density growth bonus on the OSD's overlays. I strongly urge we go forward with this proposal. I think it is the best way we can preserve Nolensville.

Mrs. Christie McAuthur, 88 Dortch Lane, stated she would like to suspend the Robert's Rule of Order and move item thirteen (13) of the agenda, to item ten (10). There are parents here tonight, who have children in vacation bible school and need to be picked up by eight-thirty (8:30P.M.). I would also like to thank you for giving us the opportunity to voice our feeling on the growth of Nolensville via the survey. I would also like to add that the survey be expedited as quickly as possible. People are asking daily about it. I think it is very important to the future of this town.

Mrs. Pat Aldred, 877 Stonebrook Blvd., stated there is a stop sign at Countryside Road, a majority of traffic that come up Norfolk to that sign, often rolls threw that one. I would request a traffic study and some tickets be given. Somebody paint stop on the road because they don't read the stop sign.

Mayor Knapper stated this is at Countryside and Norfolk?

Mrs. Pat Aldred, 877 Stonebrook Blvd., stated it is at Countryside and Stonebrook, and Countryside and Norfolk.

Ted Lothers, 304 Walpole Ct., showed the citizen a visual of the difference in a standard subdivision and an open space development.

Beth Lothers, 304 Walpole Ct., stated as all of you are aware, I wear many hats. I play many roles, whether it is parent, friend, or employee. The three roles that I play in this arena, first of all are learner, educator, I want people to understand the zoning ordinances through both sides and development issues and make up their minds what they think is best for Nolensville. I would not want the burden of speaking up and expressing what I think is best and have things change like I was the minority point of view. I found that the long-term residents that answered the survey of 1999 did discuss that they did not want a high-density subdivision. They also did request more open space. This is why the survey is important to explain the trade-off between the two concepts. In the citizen comment section a significant number of people said keep lots large. We've got to figure out what that means. An updated survey will help educate people about the trade-offs between open space and density. The updated survey is an opportunity for everyone

to express their views. If there is a high turnout and the majority of Nolensville doesn't want what I personally want, I will still have succeeded in my goal of informing and gathering input for town leaders.

My second hat that I wear is property owner. I purchased my home in McFarlin Woods grateful to own a little land, approximately ½ acre. When I saw the unfinished roads that would lead to future development, I assumed, like everyone I've spoken with, that development would continue on ½ acre lots. Greystone residents watched McFarlin Woods develop in the same pattern. It would seem that our assumptions were not baseless. The comprehensive plan draft states on page 2, item 2, under land uses and development the following:

Land that will be in the existing suburban development in the northerly part of Nolensville should be permitted to continue that established pattern of development.

With the approval of Ballanger Farms, which connects on to Cowan Drive, this pattern has been disrupted. Higher density, smaller lot sizes in exchange for open space. I appreciate the resolve of Alderman Dugger who has gone on the record that he would not approve another high density PUD or OSD that feeds in the existing subdivision.

My last hat is citizen. In raising questions and concerns about the higher density development proposed, I have sought to educate myself on these issues. I have attended every planning workshop presented since I began asking questions. As a citizen, I have to think beyond what I want linking up to my subdivision. All residents of Nolensville are my neighbors. It is a small town. What is built will be in all of our backyards. There are rural property owners that want greater, upper yards to screen their property. With the standard subdivision allowing for only 10% reserved open space this may not be enough for them. There may also be woodlands or rural landscapes that need to be preserved in their natural state. There is concern with (all development which is not connected to the) all development even that which is not connected to the existing subdivisions is ½ acre lots the house prices will soar and young families could no longer afford to move here. It is financial incentives for all developers exist for the highest density possible down to a 1/8 acre lot. Row after row of front load garages. I agree, I think Alderman Felts said it at a planning workshop that is not Nolensville. In researching OSD's and PUD'S in other communities I am won over in preserving open spaces. In a lot of these developments referred to in literature in different communities are built on ½ acre lots. With our base zoning in the SR of 1.8 units per acre. When you apply the OSD'S and PUD'S overlays it is mathematically impossible to have all ½ acre lot.

In the last planning workshop, in conclusion. It seemed like a good compromise was reached for OSD-PUD development. Are we are going to keep that concept, this is a compromise? An exchange for greater open space 28%, 75% of the development lots would be 14,000 square feet. 25% of the development will actually be a minimum of lot size of 10,000 square feet. That's a little bit smaller than this actually. With front-loaded garages on 1/3. According to my understanding the most recent discussions were all based on zero bonus density bonuses for developers. The reduction in density bonus is a no-brainer. People don't want high density. What you're voting on tonight will help lead the way for the planning workshop to continue on its path to try to come to some common ground for everybody. Please pass the zoning change first reading tonight. And in closing I appreciate the fact that our leaders, you have very difficult development decisions ahead of you and you will get pressure on all sides, including the developers and land owners. Please know that of greater value than my opinion you will have my prayers for wisdom in making those decisions. People have come to Carla and I because we have worked on the survey. We are trying to make this information less technical and more relatable.

Lee Rankin, 504 Mer Rouge Court, stated I have been a citizen of Nolensville for 5 years now and we love it here. My family moved here to get away from the traffic, crime and hectic lifestyle of the city. We moved here for good neighbors, and good schools, and close-knit community. We found all of those things. We moved here not to change Nolensville, but to become a part of Nolensville. My son Ben was filling out a questionnaire last year at school. One of the questions was, "What's the best thing that happened in your life?" And his answer was "moving to Nolensville." That is how much we love it here. Here he has a safe neighborhood where he can skate and ride his bike and have a wholesome all-American boy childhood. People know each other here; we can feel safe with our children playing outside knowing that everyone is looking out for each other. That is why I feel so strongly about what happens to this community I feel like I am fighting to protect my son's childhood and our way of life. It has taken a while for me and other citizens of Nolensville to get involved in our local government and start coming to these meetings because we assumed that, as our elected officials, you had the same goals that we had. We assumed that you were governing our community in a way that we would. The approval, however, of Ballanger Farms and Bent Creek subdivisions leads us to discover that we don't think that that's the case. I hope that you approved these subdivisions because it's what you thought we wanted. I hope that you never forget the fact that you represent us. I hope that you believe me when I tell you every one I have talked to is very unhappy with these subdivisions being approved. It is not what we want. I urge you tonight to survey the community before you make any further development decisions. I read in the Dispatch about the purpose and procedure of this meeting and the planning commission meeting and other meetings. Basically, there a few minutes set aside for the citizens to speak but there is never an open forum where we can ask a question and you actually give a response. I don't understand how you can presume to know what we want if there is never a time for a discussion. I am urging you, please, survey the community so that you can intelligently represent us. If not, then I urge my fellow citizens to elect people who will take the time and effort to find out what we want. It has been reported that you promised to survey the citizens but we haven't seen anything come up. The population of Nolensville has nearly doubled since the last survey was done. The last survey you only received 298 responses. So you are acting on behalf of 298 people when the population now is over 3,000. That means you are basing your decisions on less than 10% of your current constituents. I'm also here to ask you to approve the Ordinance 04.11, the zero density bonus. I know that if it passes the lot sizes are still going to be small, but I feel like it's a good first step in getting to where we want to end up. With the addition of just the 2 subdivisions that have been approved, Bent Creek and Ballanger Farms, the population of Nolensville could easily double. There is, I'm thinking, 1,200 more houses, at least 2 - 3 people per home. According to FBI statistics, crime rates between 2001 and 2002 in non-suburban counties, those areas with populations under 10,000 saw a drop in crime. But those areas with populations greater saw an increase in crime. Common sense tells us that the greater the population, the more frequent the incidents of crime. Along with the growing population you will have increased revenues and tax bases and I know that is a great thing for accounting people and city governments. But you also see increased crime, increased vandalism, drug use, burglaries, DUI offenses. You have increased environmental waste, destruction of our natural resources; you have increased traffic and demands on city services. You'll see the destruction of our peaceful, close-knit community. You'll see the destruction of my son's belief that moving here was the best thing that happened to him. And I don't understand why we would go that route. Thank you.

Carla Ediger, 309 Walpole Court, stated at the May 13 Planning Commission Meeting, we presented the Commissioners with a 138-signature petition requesting an immediate moratorium be placed on all PUD's and OSD's proposals pending further citizen review and input. We did not believe then that the recently proposed and approved high-density growth correctly portrays the citizenship's vision for Nolensville. The Commissioners respectfully acknowledged our request and discussed it at length. During the discussion, many of the Commissioners recognized the sense of urgency surrounding this issue. It was determined that a moratorium was not the best method to accomplish our goal. Instead, James Clark made a motion to set the density bonus for PUD's and OSD's to zero percent. The motion was approved eight to one.

After this meeting, we were made aware of a 1999 Growth Planning Survey. 298 out of approximately 1,800 Nolensville residents responded to this survey. We analyzed the results of this survey to determine the questions that generated the strongest opinions positive or negative. The following questions generated strong concerns:

- C-2 Local residents should plan what type of growth and development should occur and where in the Nolensville area (93.6% Agreed)
- H-2 Retain its rural, small town character (85.9% Agreed)
- A-2 Development of higher density subdivisions should be encouraged (76.5% Disagreed/ 228 out of 298 Disagree)
- E-3 New residential subdivisions should be required to have parks, greenways, commons, amenity area, or other recreational facilities. (71.5% Agreed / 213 out of 298 Agree)

In addition to this analysis, Beth and I read all of the handwritten comments on these surveys. If we determined that we were in the minority, we were done with the matter. The 1999 survey comments, however, strengthened our resolve that high-density subdivisions were not the desire of Nolensville residents. We also recognized that the survey results presented a dilemma for the Town officials. Residents wanted to retain rural character (open space), but they wanted larger lots as well. Unfortunately, the 1999 survey didn't have a question that addressed which of these two components, open space or larger lots, were the most important.

We wanted to be a part of the solution, so we volunteered to prepare a new survey addressing the current residential development questions faced by the Planning Commissions and the Board of Mayor and Aldermen. We attended several planning workshops and listened to the issues that were raised. To the best of our ability and with input from Town officials, we put together a thirteen-question survey and informational cover page about future residential development. We think it is important that this survey be published as soon as possible. Development is moving forward and the residents of Nolensville want to be included in the plans.

We see approval of a 0% density bonus for OSD's and PUD's tonight as the first step in the process to achieving a balanced trade-off between open space that retains the rural character of Nolensville and lot sizes that allow for increased architectural diversity and private property. Thank you for this opportunity to express my viewpoint.

Jackie Fuqua, 1301 Countryside Road, stated my husband and I purchased our first house in 1988. It was a great little starter house in Antioch and we were thrilled to become homeowners. When our son Jake was born in 1994 we knew we needed something different in our house a new big yard for him to play in. We contacted a real estate agent and told her what we were looking for. We didn't need a bigger house; we just wanted a bigger yard. You would not believe how difficult that was to find. Everywhere she took me to look at had a big house on a small yard. It wasn't until I saw an open house ad in Nolensville that we found our new home. We moved to Nolensville in 1995 when Jake was 15 months old. We have loved living here ever since. My husband and I both voted for incorporation when the topic came up, because we did not want to become another part of Brentwood. We moved to our current house on Countryside Road in 1999. Since moving here I have become very active in the PTO (here at Nolensville), as well as the Greystone Homeowners Association. I feel that committee service is important and I want to thank all of you for the jobs that you do for our committee. I feel badly that I have not become more involved or educated myself better on what was happening to our town. We all knew that growth was coming and when the sewer line was finished, "Look Out". We know that developers have been eyeing us for sometime and that landowners will be approached with offers of big money. We cannot blame them for selling their land because if someone offered me a million dollars, I would take it too. The reason I speak before you now because of the proposed Shelton Park, it will be connected to Greystone E-state. I have no problems with houses be build there, my concern is the density proposed for that land. In my opinion that land should continue on like the Greystone Estate plan is. In other words, I think it should remain a standard subdivision zoning area with ½ acre lots. This area is different from Ballenger Farms because the only way to

get in and out of this area will be thru the Greystone Subdivision. It should continue the committee feels and setting that it is capitalized on. This company that is working with the PUD'S and OSD'S that you have develop, where a certain amount of land has to be open space. If we make them use the standard subdivision zoning instead of PUD'S or OSD'S, want they have to build the same number of houses with some bigger lots? I don't have a problem with PUD'S or OSD'S as long s we don't over use them. All I am asking is that we do not rush in making a decision about density issues. Once developers have been given the okay, that will be that and we will not be able to change things that happen. Please let us, the citizen of Nolensville, have a chance to look at and respond to the new survey before we make decision that will affect all of us.

Also I would like to say I agree with Pat, I live at the intersection of Norfolk and Countryside. People do not stop there.

Aldermen Gail Phillips made a motion to approve the minutes for the regular meeting of June 3, 2004; Aldermen Tommy Dugger seconded this motion. The motion was passed unanimously.

Mayor Knapper stated the Treasurer's Report was not available. A copy will be available at the Town Hall by the end of next week and will be given to all the Aldermen.

#### Committee Reports

Frank Wilson reported for the Planning Commission:

- Approved Grading Plan for the Moore Property
- Approved Changes to Article Five of the Zoning Ordinance
- Approved water design for Bent Creek
- The Bond Report Stay the same

Betty Friedlander reported for the Historic Commission:

- There was no report at this time

Chief Presley Hughes reported for the Nolensville Volunteer Fire Department:

- Applied for a 165,000.00 FEMA grant / 90% Federal Funded 10% Local Funded
- \$441,000.00 building addition that has been proposed
- Order a new Pumper
- 68 hour classes starting for the First Responders
- 58 hour classes starting for our fire fighters

There was no report for the Chamber of Commerce.

Richard Woodroof reported for the Engineer/Codes Department:

- 35 permits issued
- 12 inspections performed
- Received 3 Bids on the York Road issue
- Mr. Hailey pulled permit to build last three storage buildings on his site
- Review submittal for the Planning Commission
- Reviewing the draining calculations for Bent Creek
- Passed 2003 Inter National Codes Residential and Commercial Exams
- Hired Derek Beard to help out with inspection

Mayor Knapper stated we do not have prepared tonight ordinance #04-11. For all of you that are here tonight for the reading of the ordinance it is not done. Our attorney is out of town. I am asking the board if we can consider a special called meeting to address this. We will have to

submit a notice in the paper. Aldermen Tommy Dugger stated is there a time frame where the notice has to be posted before you have a meeting?

Mayor Knapper stated with a special called meeting it said adequate public notice. I feel if we submit it tomorrow and put it in the paper the first of the week, we will have the meeting on July 15 at 7:00.

Joe Curtsinger reported for the Town Hall Committee:

- First meeting was held on June 29<sup>th</sup>
- Plans are being reviewed

There was no report for the Police Department.

Lonnie Bowden turned in his written report for the Public Works Department.

Mayor's Report:

Mayor Knapper reported with the regards to the survey, I appreciate Beth Lothers and Carla Ediger for working so hard on the survey. I have asked the Planning Commission Members and the Board of Mayor and Aldermen to give me there input on the survey. We took their comments and added them to the survey. I think there will be issue that will come from the survey and be address to this board at a later date. These questions from the survey have come from some citizen that has volunteer there time to put this together.

First Reading of Resolution #04-07, a resolution of the Town of Nolensville, Tennessee, authorizing the execution and delivery of a municipal lease agreement with the Farmers and Merchants National Bank to purchase a tractor.

Counsel Dana Ausbrooks stated in the third paragraph where it states, the Issuer has heretofore determined that financing for the acquisition and leasing of certain equipment pursuant. It should state, acquisition and leasing of a tractor.

Aldermen Tommy Dugger stated that we are in a new year and all the resolution should be 05-01 and the next resolution should be 05-02.

Aldermen Frank Wilson made a motion to approve 04-07. Aldermen Larry Felts seconded the motion.

Mayor Knapper made a motion to amend the resolution, changing the number from 04-07 to 05-01 and changing the wording to say, acquisition and leasing of a tractor. Aldermen Gail Phillips seconded the motion. Passed unanimously.

First Reading of Resolution #04-08, a resolution of the Town of Nolensville, Tennessee, authorizing the execution and delivery of a municipal lease agreement with the Farmers and Merchants National Bank to purchase two police cars.

Aldermen Gail Phillips made a motion to approve 04-08. Aldermen Larry Felts seconded the motion.

Counsel Dana Ausbrooks stated in the third paragraph where it states, the Issuer has heretofore determined that financing for the acquisition and leasing of certain equipment pursuant. It should stated, acquisition and leasing of two police cars.

Mayor Knapper made a motion to amend the resolution, changing the number from 04-08 to 05-02 and changing the wording to say, acquisition and leasing of two police cars. Aldermen Tommy Dugger seconded the motion. Passed unanimously.

Second Reading of Ordinance #04-10, an ordinance to amend chapter 4, section 3-202 of the Nolensville Municipal Code regarding court administration. Counsel Dana Ausbrooks stated that basically it states when you appear in front of our Municipal Judge there is going to be a court cost in the amount of \$75.00 for ever case. There were be addition to the litigation taxes, those litigation taxes are taxed threw the state. They are not taxed threw Nolensville.

Alderman Gail Phillips made a motion to approve the amend chapter 4, section 3-202 of the Nolensville Municipal Code regarding court administration. Aldermen Tommy Dugger seconded the motion. Motion passed unanimously.

Mayor Knapper stated in other business he would like to get a verbal agreement with the board tonight to go forward with the Gillian Fischback on the Major Thoroughfare Plan.

Meeting adjourned at 8:30 P.M.

Respectfully submitted,

Approved,

Tonia Smith,  
Acting Recorder

Charles Knapper,  
Mayor